



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/630,013  | 07/30/2003  | Manabu Kai           | FUSA 20.530         | 8513             |
| 7590  | 10/19/2005  |                      | EXAMINER            |                  |
| Katten Muchin Zavis Rosenman<br>575 Madison Avenue<br>New York, NY 10022-2585 |             |                      | LEE, BENNY T        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2817                |                  |

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                                 |
|------------------------------|------------------------|---------------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>             |
|                              | 10/630,013             | KAI ET AL.<br><i>(initials)</i> |
|                              | <b>Examiner</b>        | <b>Art Unit</b>                 |
|                              | Benny Lee              | 2817                            |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1 and 7 is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3 August 2005 has been entered.

Applicants' cancellation of claims 2-5, 8-10, 12, 13 renders moot the restriction requirement.

The substitute specification filed 3 August 2005 has been reviewed by the examiner, found acceptable and has replaced the original specification. The following objections pertain to the substitute specification:

This application is in condition for allowance except for the following formal matters:

**In the Specification:**

The disclosure is objected to because of the following informalities: Page 2, line 1, note that it remains unclear which "characteristics" are "stable". Clarification is still needed. Page 10, line 17, note that " $t_{00}, t_{01}, t_{02}$ " should correctly be --  $f_{00}, f_{01}, f_{02}$ --. Page 16, line 7, note that " $T - T_1$ " should correctly be -- $T = T_1$ --. Page 18, line 23, note that "(see Fig. 14(a))" should be rewritten as --[see Fig. 14(A)]--. Appropriate correction is required.

The disclosure is objected to because of the following informalities: Note that in the description of the following drawing figures, the cited reference labels need explicit description therewith: Fig. 10 ( $Sf_{c1}, Sf_{c2}$ ); figs. 12, 14(B), 16, all reference labels therein. Appropriate correction is required.

Art Unit: 2817

**In the Claims:**

In claim 1, line 8, note that --signal-- should follow "pilot" for clarity of description.

In claim 8, last line, note that --, respectively-- should be inserted after "signals" for clarity of description.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 1, 7 are allowable over the prior art of record since none of the prior art of record discloses the first and second pilot signal being input into the superconducting filter along with the antenna receive signal through the receive antenna as now recited in amend claim 1.

Similarly, none of the prior art of record discloses a first pilot signal being input into the superconducting filter together with a receive antenna signal while a second pilot signal is input into the low noise amplifier as recited in amended claim 7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Lee whose telephone number is 571 272 1764

B. Lee

  
BENNY T. LEE  
PRIMARY EXAMINER  
ART UNIT 2817